

Serial No.: 09/528,963

File No.: 31162X

REMARKS

Applicant submits the above amendment to the specification to return the priority claim to the priority claim as it was in the original application, namely a priority back to March 21, 2000. In a prior amendment dated July 21, 2003, Applicant claimed priority back to parent applications Serial Nos. 09/464,899, 08/713,834, 09/118,143 and 08/873,010. However, upon review of the claims and the parent applications, Applicant believes that priority should remain as it was in the original application, namely to March 21, 2000.

The claims as previously presented and as amended at the suggestion of the Examiner require steps regarding measurement of expression of TGF- $\beta$ . Specifically, for example, the claims require: "measuring the resulting expression of TGF- $\beta$  in the exposed ovarian epithelial cells." The parent applications do not disclose anything regarding TGF- $\beta$ . Therefore, Applicant submits the proper priority claim should not extend beyond the filing date of the applicant Serial No. 09/528,963 which was filed on March 21, 2000.

Applicant notes that the Examiner previously withdrew a rejection based on a prior art reference WO 98/07771 because "the effective date of the present application now pre-dates the reference." Applicant notes that the effective date of the WO 98/07771 reference pre-dates March 21, 2000. However, WO 98/07771 contains the same disclosure as the parent applications discussed above. It does not disclose TGF- $\beta$  at all, and therefore should not be the basis for any rejection of the pending claims.

Therefore, Applicant submits that the proper priority claim should not extend beyond March 21, 2000, and that there should be no rejection based on the WO

MAR. 25, 2004 4:33PM

NO. 0631 P. 5

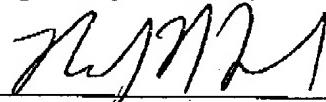
Serial No.: 09/528,963

File No.: 31162X

publication, which has no more relevant disclosure than the parent applications referred to above.

Applicant respectfully requests amendment of the specification as set forth herein. Please charge any fees associated with this amendment to Deposit Account No. 18-1942.

Respectfully submitted,



Raymond N. Nimrod  
Registration No. 31,987  
Attorney for Applicant  
Gustavo C. Rodriguez

**CERTIFICATE OF FACSIMILE**

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. (703) 872-9306) on March 25, 2004.

Dated: March 25, 2004

  
\_\_\_\_\_  
Raymond N. Nimrod